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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

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8 UNITED STATES OF AMERICA,)
9 Plaintiffs,) 2:96-cr-00242-PMP
10 vs.) **ORDER**
11 MORRIS HUNTER, JR.,)
12 Defendants.)
13 _____)

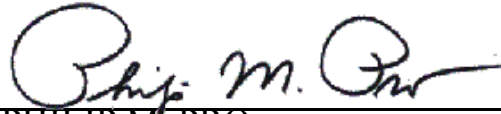
14 Before the Court for consideration is Defendant Morris Hunter's Motion
15 Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person In
16 Federal Custody (Doc.#149), and Hunter's Motion to Reopen his 28 U.S.C. §
17 2255 Petition (Doc. #148), filed June 24, 2014. The Opposition to Defendant's
18 Motions filed by Plaintiff United States (Doc. #152) on July 2, 2014, compels
19 this Court to deny Defendant Hunter's motions.

20 Specifically, as noted in the Government's Opposition, Defendant
21 Hunter's motions must be denied because the instant Motion to Vacate (Doc.
22 #149) constitutes a second, or successive § 2255 motion without Defendant
23 Hunter first receiving Certification from the United States Court of Appeals for
24 the Ninth Circuit that such filing is appropriate in accord with the provisions of
25 28 U.S.C. §§ 2244(a) and (b)(3), and 2255(h). *United States v. Lopez*, 577 Fed.
26 3d. 1053, 1061 (9th Cir. 2009). For the reasons set forth in the Governments
27 Opposition (Doc. #152),

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1 IT IS ORDERED that Defendant Hunter's Motions to Reopen his 28
2 U.S.C. § 2255 Petition (Doc. #148) and his Motion Under 28 U.S.C. § 2255 to
3 Vacate, Set Aside, or Correct Sentence by a Person In Federal Custody
4 (Doc.#149) are DENIED.

5 DATED: July 7, 2014.

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8 PHILIP M. PRO
9 United States District Judge
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